

Trish A. Walsh, OSB #101604
twalsh@fwwlaw.com
Farleigh Wada Witt
121 SW Morrison Street, Suite 600
Portland, Oregon 97204-3136
Telephone: (503) 228-6044
Facsimile: (503) 228-1741

Attorneys for Defendants Unitus Community Credit Union and Rebecca Rich

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

BENJAMIN JAY BARBER,

Plaintiff,

v.

UNITUS COMMUNITY CREDIT UNION,
REBECCA RICH, and JOHN DOE,

Defendants.

Case No. 3:22-cv-00134-MO

DEFENDANTS' **UNOPPOSED** MOTION
FOR EXTENSION OF TIME TO ANSWER
COMPLAINT

L.R. 7-1 CERTIFICATION

Pursuant to L.R. 7-1, the undersigned attorney for defendants Unitus Community Credit Union and Rebecca Rich ("Defendants") hereby certifies that she has conferred with *pro se* plaintiff Benjamin Jay Barber ("Plaintiff") regarding this motion and Defendants' counsel believes that Plaintiff consents to and does not oppose Defendants' request for an extension herein. In an abundance of caution, counsel provides the following detailed summary: on August 31, 2022, counsel left a detailed voicemail at the telephone number for Plaintiff that appears on the Process Receipt and Return (see Dkt. No. 20), requesting a 30-day extension of the answer deadline. Later that day, Plaintiff responded with an emailed written response, which is attached

to the Declaration of Trish A. Walsh submitted herewith.

MOTION

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), Defendants move the court for a 30-day extension of the deadline by which it is required to respond to Plaintiff's Complaint, to Thursday, October 13, 2022.

MEMORANDUM

Plaintiff initially filed this case on or about January 25, 2022. (Dkt. No. 1.) He filed an Amended Complaint on June 27, 2022. (Dkt. No. 11.) However, service was not effected on Defendants until August 23, 2022. (Dkt. Nos. 20, 21.) Defendants' current deadline to file a responsive pleading to the Complaint is Tuesday, September 13, 2022. *Id.*

Defendants request a 30-day extension of the time to file a responsive pleading to the Complaint, to October 13, 2022.

Good cause exists for this motion. The operative *pro se* Complaint contains eleven claims, and Defendants' undersigned counsel needs additional time to review and analyze the allegations in the Complaint with Defendants in order to prepare an appropriate response to the Complaint. There have been no prior requests for extension. This extension is sought in good faith and not for the purpose of delay. No party will be prejudiced by this extension. Defendants do not waive any defenses in connection with this motion.

DATED this 1st of September, 2022.

FARLEIGH WADA WITT

By: /s/ Trish A. Walsh
Trish A. Walsh, OSB #101604
twalsh@fwwlaw.com
(503) 228-6044

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: None; and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Benjamin Jay Barber
10043 SE 32nd Avenue
Milwaukie, OR 97222

FARLEIGH WADA WITT

By: /s/Trish A. Walsh
Trish A. Walsh, OSB #101604
Attorneys for Defendants
121 SW Morrison St., Suite 600
Portland, Oregon 97204
(503) 228-6044
twalsh@fwwlaw.com